

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT HUNTINGTON**

TIMOTHY R. JONES and JANIE COLE,

Plaintiffs,

v.

**Civil Action No. 3:19-CV-00618
Honorable Robert C. Chambers**

**THE BOARD OF EDUCATION OF
PUTNAM COUNTY, WEST VIRGINIA,
JOHN HUDSON, SHARLA GRIFFITH,
CANDI HATFIELD, ALICIA COEY,
a/k/a ALICIA POWELL and EDDIE
STARCHER,**

Defendants.

**DEFENDANTS PUTNAM COUNTY BOARD OF EDUCATION, JOHN HUDSON,
SHARLA GRIFFITH, AND CANDI HATFIELD’S MOTION TO DISMISS PLAINTIFFS’
FIRST AMENDED COMPLAINT**

NOW COME Defendants Putnam County Board of Education (“PCBOE”), Superintendent John Hudson, Director of Exceptional Education Sharla Griffith, and Winfield Elementary Principal Candi Hatfield, by and through counsel, David J. Mincer, Jeffrey M. Carder, and the law firm of Bailey & Wyant, PLLC, pursuant to Rule 12(b)(6) of the *Federal Rules of Civil Procedure* and the applicable law referenced herein, and herby move this Honorable Court for entry of an Order dismissing all claims asserted against these Defendants in the above captioned matter, with prejudice, due to Plaintiffs’ failure to state a claim for which relief may be granted. The basis for Defendants’ Motion is set forth more fully in the Memorandum of Law in Support of Defendants Putnam County Board of Education, John Hudson, Sharla Griffith, and Candi Hatfield’s Motion to Dismiss Plaintiffs’ First Amended Complaint, which is filed contemporaneously with this Motion.

**THE BOARD OF EDUCATION OF
PUTNAM COUNTY, WEST VIRGINIA,
JOHN HUDSON, SHARLA GRIFFITH,
AND CANDI HATFIELD,
By Counsel,**

/s/ David J. Mincer
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of foregoing "DEFENDANTS PUTNAM COUNTY BOARD OF EDUCATION, JOHN HUDSON, SHARLA GRIFFITH, AND CANDI HATFIELD'S MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT" was served upon the following parties through the Court's Electronic Case Filing (ECF) system on this day, Thursday, October 17, 2019:

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/s/ David J. Mincer